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Human Rights Council
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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

28/11. Human rights and the environment

The Human Rights Council,

Reaffirming its resolutions 16/11 of 24 March 2011, 19/10 of 22 March 2012 and 25/21 of 28 March 2014 on human rights and the environment, and relevant resolutions of the Commission on Human Rights,

Bearing in mind General Assembly resolutions 60/251 of 15 March 2006 and 65/281 of 17 June 2011, and Human Rights Council resolution 16/21 of 25 March 2011,

Recalling its resolutions 5/1 on institution-building of the Human Rights Council, and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling also the outcome of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, in June 2012, and its outcome document, "The future we want", which reaffirmed the principles of the Rio Declaration on Environment and Development, including principle 7, and aiming to contribute to follow-up processes, including the realization of sustainable development goals,

Recognizing that human beings are at the centre of concerns for sustainable development, that the right to development must be fulfilled in order to meet the development and environmental needs of present and future generations equitably, and that the human person is the central subject of development and should be an active participant in and the beneficiary of the right to development,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recognizing that sustainable development and the protection of the environment can contribute to human well-being and to the enjoyment of human rights,

Recognizing also, conversely, that climate change, the unsustainable management and use of natural resources and the unsound management of chemicals and waste may interfere with the enjoyment of a safe, clean, healthy and sustainable environment, and that environmental damage can have negative implications, both direct and indirect, for the effective enjoyment of all human rights,

Recognizing further that, while the human rights implications of environmental damage are felt by individuals and communities around the world, the consequences are felt most acutely by those segments of the population already in vulnerable situations,

1. *Welcomes* the work of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, including the clarification of important aspects of the human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, the progress in compiling good practices, the comprehensive, transparent and inclusive consultations conducted with relevant and interested actors from all regions, and the undertaking of country missions;

2. *Also welcomes* the work of the Office of the United Nations High Commissioner for Human Rights on the issue of human rights and the environment;

3. *Takes note with appreciation* of the work undertaken by the United Nations Environment Programme in support of the mandate of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;

4. *Decides* to extend the mandate of the current mandate holder as a special rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment for a period of three years;

5. *Encourages* the Special Rapporteur, in fulfilling the mandate:

(*a*) To continue to study, in consultation with Governments, relevant international organizations and intergovernmental bodies, including the United Nations Environment Programme and the United Nations Development Programme, and relevant multilateral environment agreements, human rights mechanisms, local authorities, national human rights institutions, civil society organizations, including those representing indigenous peoples and other persons in vulnerable situations, the private sector and academic institutions, the human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;

(*b*) To continue to identify, promote and exchange views on good practices relating to human rights obligations and commitments that inform, support and strengthen environmental policymaking, especially in the area of environmental protection, and in that regard to update and disseminate the compendium of good practices;

(*c*) To promote and report on the realization of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, and to disseminate his or her findings by, inter alia, continuing to give particular emphasis to practical solutions with regard to their implementation;

(*d*) To work on identifying challenges and obstacles to the full realization of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment and protection gaps thereto, including in the context of sustainable development;

(*e*) To continue to contribute to and participate in, where appropriate, intergovernmental conferences and meetings relevant to the mandate;

(*f*) To develop a dialogue, liaise and collaborate with all relevant stakeholders with a view to enhancing public awareness of the human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;

(*g*) To apply a gender perspective by, inter alia, considering the particular situation of women and girls and identifying gender-specific discrimination and vulnerabilities;

(*h*) To work in close coordination, while avoiding unnecessary duplication, with other special procedures and subsidiary organs of the Human Rights Council, relevant United Nations bodies, agencies, funds and programmes, including the United Nations Environment Programme and the United Nations Development Programme, the treaty bodies and international and regional organizations, multilateral environmental agreements, taking into account the views of other stakeholders, including relevant regional human rights mechanisms, national human rights institutions, civil society organizations and academic institutions;

(*i*) To submit an annual report, including conclusions and recommendations, to the Council;

6. *Calls upon* all States, United Nations agencies, programmes and funds, other international organizations and non-governmental organizations, the private sector and national human rights institutions to cooperate fully with the Special Rapporteur, including by providing all necessary information related to the mandate to enable him or her to fulfil the mandate;

7. *Requests* the High Commissioner to ensure that the Special Rapporteur receives the resources necessary to enable him or her to discharge the mandate fully;

8. *Requests* the Special Rapporteur, in collaboration with the Office of the High Commissioner:

(*a*) To convene, prior to the thirty-first session of the Human Rights Council, an expert seminar on the effective implementation of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, challenges thereto and the way forward, on the basis of the findings of the mandate holder;

(*b*) To invite States and other relevant stakeholders, including academic experts and civil society organizations, to participate actively in the seminar;

(*c*) To invite relevant experts of the United Nations agencies, funds and programmes, and other international organizations to participate in the seminar;

(*d*) To submit to the Human Rights Council, at its thirty-first session, a summary report on the above-mentioned seminar, including any recommendations stemming therefrom, for consideration of further follow-up action;

9. *Requests* the Office of the High Commissioner to collaborate with United Nations programmes, agencies and funds, in particular the United Nations Environment Programme, with a view to facilitate the exchange of knowledge on human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;

10. *Invites* States to consider the compilation of good practices contained in the report of the Independent Expert[1] when fulfilling their human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, and invites States to

[1] A/HRC/28/61.

share good practices in this regard when reporting to the United Nations human rights system;

11. *Decides* to remain seized of the matter, in accordance with its annual programme of work.

55th meeting
26 March 2015

[Adopted without a vote.]